

11/16/00  
Jc957 U.S. PTO

CERTIFICATE OF EXPRESS MAIL

NUMBER EL521293419US

DATE OF DEPOSIT November 16, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

*Armen J. Yoon*  
Signature

Jc715 U.S. PTO  
09/714469  
11/16/00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: 11899.0189.DVUS00  
(MOBT:189--2)

Prior Application Examiner:  
T. Yoon

**BOX PATENT APPLICATION**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**Classification Designation:**  
**524**

**Prior Group Art Unit: 1714**

**REQUEST FOR FILING DIVISIONAL APPLICATION**  
**UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a divisional application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 09/179,780 filed October 27, 1998, entitled "Polymer Blends Containing Polyhydroxyalkanoates and Compositions With Good Retention of Elongation."

- ☒ 1. Enclosed is a copy of the prior application Serial No. 09/179,780 as originally filed, including specification, claims and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter

both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

(a) ☒ The inventorship is the same as prior Application Serial No. 09/179,780.

(b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).

(c) ☐ Priority of foreign patent application number , filed in is claimed under 35 U.S.C. § 119(a)-(e). The certified copy:

☐ is enclosed.

☐ has been filed in the prior Application Serial No.

☒ 2. The Assistant Commissioner is requested to grant Applicants a filing date in accordance with Rule 1.53, and supply Applicants with a Notice of Missing Parts in due course, in accordance with the provisions of Rule 1.53(f).

☒ 3. The Assistant Commissioner is authorized to charge the deposit account of Howrey Simony Arnold & White, LLP, No. 01-2508/118990189DVUS00 the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Part No. 9 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION  
LESS CLAIMS CANCELED BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				710.00
Total Claims	8 - 20 =	0 X	\$18.00 =	0.00
Independent Claims	4 - 3 =	1 X	\$80.00 =	80.00
Multiple Dependent Claim(s) -----				\$-0-
<b>TOTAL FILING FEES:</b>				790.00

- ☐ 4. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.
- ☐ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ (c) Small entity status is no longer claimed.
- ☒ 5. The Assistant Commissioner is authorized to further charge Deposit Account No. 01-2508/118990189DVUS00 for any additional fees under 37 C.F.R. §§ 1.16 to 1.21 that should be required for any reason relating to the enclosed materials.
- ☒ 6. Enclosed is a copy of the current Power of Attorney in the prior application.
- ☒ 7. Address all future communications to:
- Patricia A. Kammerer  
HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400
- ☒ 8. The prior application is presently assigned to Monsanto Company.

- ☐ 9. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included at No. 3 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.
- ☐ 10. Cancel in this application claims 1-41 of the prior application before calculating the filing fee. (At least one original independent claim must be retained).
- ☐ 11. Amend the specification by inserting before the first line the sentence: "--This is a divisional of co-pending application Serial No. 09/179,780 filed October 27, 1998--.
- ☐ 12. Enclosed are formal drawings.
- ☐ 13. An Information Disclosure Statement (IDS) is enclosed.
- ☐ (a) PTO-1449.
- ☐ (b) Copies of IDS citations.
- ☐ 14. Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No.            filed            , for use in this application. Under 37 C.F.R. § 1.821(e), Applicant states that the paper copy of the sequence listing in this application is identical to the computer readable copy in parent application Serial No.            filed            . Under 37 C.F.R. § 1.821(f), Applicant also states that the information recorded in computer readable form is identical to the written sequence listing.




15. Other:



16. Return Receipt Postcard.

Respectfully submitted,

  
Patricia A. Kammerer

Reg. No. 29,775

Attorney for Assignee

MONSANTO COMPANY

HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, TX 77057-2198  
(713) 787-1400

Date:

Nov 15, 1999